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**SIEMENS****FACSIMILE COVER SHEET**In the UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Christian X. Campbell

Application No. **10/654,767**

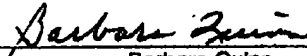
Atty. Docket No: 2003P13115US

Filed: 09/04/2003

Title: STRAIN TOLERANT AGGREGATE MATERIAL

Examiner: Karl E. Group

Art Unit: 1755

➡ **FACSIMILE ATTN TO: KARL E. GROUP****FAX NO.: 571-273-8300****RESPONSE TO RESTRICTION REQUIREMENT**Commissioner for Patents  
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NO. 2152 P. 2

PTO/SB/21 (09-04)


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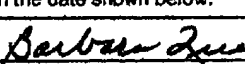
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<b>TRANSMITTAL FORM</b>  <small>(to be used for all correspondence after initial filing)</small>		Application Number	10/654,767
		Filing Date	09/04/2003
		First Named Inventor	Christian X. Campbell
		Art Unit	1755
		Examiner Name	Karl E. Group
Total Number of Pages in This Submission	4	Attorney Docket Number	2003P13115US

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Signature			
Printed Name	John P. Musone		
Date	December 9, 2005	Reg. No.	44,961

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**SIEMENS**

PATENT

Attorney Docket No. 2003P13115US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Inventor:	C. Campbell	)		
		)	Group Art Unit:	1755
Serial No.:	10/654,767	)		
		)	Examiner:	K. Group
Filed:	September 4, 2003	)		

Title: STRAIN TOLERANT AGGREGATE MATERIAL

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO RESTRICTION REQUIREMENT**

As set forth in the Office Action mailed November 23, 2005, the Examiner asserts that claims 1-20, 28-37 (Group I) and claims 21-27 (Group II) are drawn to patentably distinct subject matter. The Examiner therefore requires Applicants to select for examination the claims of Group I or the claims of Group II.

The Examiner also asserts that a further restriction is required regarding the first particle which may comprise ceria, rare earth oxides (each considered a distinct specie), tetragonal zirconia, alumina, magnesia and spinel, and the second particle which may comprise mullite, zircon, cordierite and celsian, silicon carbide and silicon nitride. The Examiner therefore requires Applicants to select for examination a single species for both the first particle and the second particle.